

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of November, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and tenth.

Ronald Reagan

[FR Doc. 85-27223

Filed 11-13-85; 11:02 am]

Billing code 3195-01-M

## Presidential Documents

Proclamation 5407 of November 12, 1985

### High Blood Pressure Awareness Week, 1985

By the President of the United States of America

#### A Proclamation

High blood pressure is a disease that affects as many as 60 million Americans and is a major contributing factor in 1.25 million heart attacks and half a million strokes that take place every year in the United States. More than half a million of those who have a heart attack will die this year, and the economic cost to the Nation in direct medical costs, lost work days, and lost production is estimated to be in excess of ten billion dollars annually.

There are many encouraging signs that we are making progress in bringing this disease under control. The death rates from heart attacks and stroke have been declining dramatically over the past decade and more. From 1972 to 1984, for example, the death rate for heart attack dropped by 33 percent, and for stroke by 48 percent.

At least one of the factors responsible for this decline is an enhanced awareness among the medical profession and the public of the dangers of high blood pressure and the steps that must be taken to control it. This growing awareness has been brought about with the assistance of the National High Blood Pressure Education Program, a coordinated effort involving the Federal government; community volunteer organizations; medical associations; industry and labor; State and local public health agencies, and many other groups. Since the program began in 1972, public understanding of high blood pressure, the number of people being treated, and the number of those effectively controlling their high blood pressure has increased considerably.

Often called the "silent killer" because it usually has no easily detectable symptoms, high blood pressure is an insidious condition that may lead to heart attack, stroke, or kidney damage. It is one of three major risk factors, along with cigarette smoking and elevated blood cholesterol, for cardiovascular diseases. All of these factors can be controlled or eliminated.

High blood pressure can be detected using the familiar inflatable arm cuff and stethoscope. The test takes only a few moments and is painless. Once detected, high blood pressure can be very effectively controlled. Sometimes this can be accomplished by such measures as weight loss, salt restriction, and exercise. When these do not work, the physician can select an appropriate treatment program from a wide range of drug therapies.

I urge all Americans to take advantage of the high blood pressure screening activities in their communities, their work places, and their public health facilities. They should ask their physicians how often they should have a blood pressure check. All Americans should be aware of the dangers of this very widespread condition and they should also know that these dangers can be eliminated by proven methods.

To stimulate awareness among Americans of the importance of having their blood pressure measured, the Congress, by Senate Joint Resolution 130, has designated the week beginning November 10, 1985, as "High Blood Pressure Awareness Week" and authorized and requested the President to issue a proclamation in observance of this week.



NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week beginning November 10, 1985, as High Blood Pressure Awareness Week. I invite the American people to join with me in reaffirming our commitment to the resolution of the problem of high blood pressure.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of November, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and tenth.

Ronald Reagan

[FR Doc. 85-27335

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# Rules and Regulations

Federal Register

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Thursday, November 14, 1985

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1468

#### Payment Program for Mohair

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule amends the regulations at 7 CFR Part 1468 governing the Commodity Credit Corporation's (CCC) price support program for mohair with respect to: (1) Marketings of shorn mohair eligible for price support payments; (2) definitions which are applicable to the program; (3) producer eligibility for price support payments; (4) contents of sales documents which are submitted in support of price support payment applications; and (5) the deletion of certain obsolete references.

**EFFECTIVE DATES:** This interim rule shall become effective on November 14, 1985. Comments must be received on or before January 13, 1986, in order to be assured of consideration.

**ADDRESS:** Send comments on this interim rule to: Director, Emergency Operations and Livestock Programs Division, ASCS, Department of Agriculture P.O. Box 2415, Washington, DC 20013. All written submissions made pursuant to this rule will be made available for public inspection in Room 4095 South Building, USDA, between the hours of 8:15 AM and 4:45 PM, Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Jerry W. Newcomb, Director, Emergency Operations and Livestock Programs Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, P.O. Box 2415, Washington, DC 20013. Telephone (202) 447-5621.

#### SUPPLEMENTARY INFORMATION:

Information collection requirements contained in this regulation (7 CFR Part 1468) have been approved by the Office of Management and Budget in accordance with the provisions of 44 U.S.C. Chapter 35 and OMB Number 0560-0023 has been assigned.

This interim rule has been reviewed under U.S. Department of Agriculture (USDA) procedures established in accordance with provisions of Executive Order 12291 and Departmental Regulation No. 1512-1 and has been classified as "not major." It has been determined that these program provisions will not result in: (1) An annual effect on the economy of \$100 million or more; (2) major increases in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal assistance program to which this notice applies are: Title—Commodity Loans and Purchases; 10.051; as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this interim rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject of this rule.

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

This program/activity is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR Part 3015, Subpart V, published at 48 FR 29115 (June 24, 1983).

Since the marketing of 1985 crop mohair has begun, it has been determined that the provisions of this interim rule must be effective November 14, 1985. However, comments on this interim rule are requested and must be received not later than 60 days from the

date of publication in the Federal Register in order to be assured of consideration. A final rule will be published discussing any amendments which are determined to be necessary.

Section 706 of the National Wool Act of 1954, as amended ("Wool Act"), provides that the Secretary of Agriculture shall determine the amounts, terms, and conditions of the mohair price support program. This interim rule amends the regulations which relate to program operations and the price support program for mohair for the 1985 marketing year, particularly with regard to the conditions under which price support payments will be made. The mohair price support program is designed to encourage the continued domestic production of mohair at prices fair to both producers and consumers in a manner which will assure a viable domestic mohair industry. A review by the Office of the Deputy Administrator, State and County Operations (DASCO) of the Agricultural Stabilization and Conservation Service (ASCS) of a select number of 1983 shorn wool applications for payment and supporting documentation has revealed marketing practices which defeat the purpose of the wool program. Since the mohair program is similar to the wool program, ASCS is concerned that mohair producers may adopt marketing practices similar to those which have been adopted by some wool producers and use these practices to defeat the purpose of the mohair price support program. This interim rule amends the regulations set forth at 7 CFR Part 1468 to prevent these practices.

#### Definitions

The regulations at 7 CFR 1468.104 currently set forth the definitions of certain terms which are applicable to this subpart. This interim rule amends this section by redesignating the current definitions in 1468.104 in alphabetical order and adding the definitions of the following terms: (1) "Deputy Administrator"; (2) "family member"; (3) "grease mohair"; (4) "mohair incentive payment rate"; and (5) "shorn mohair".

The definition of "shorn mohair" has been added to ensure that there is no doubt or opportunity for the misinterpretation of the phrase. "Shorn mohair" is defined as grease mohair that has been sheared from Angora goats and also includes the grease hair of the



kid of an Angora goat. The definition of "shorn mohair" would not include pelts or mohair sheared from pelts, scoured, or dyed mohair or yarn, skeins or other terms which identify the mohair as being other than in its natural grease weight state.

It has also been determined that the phrase "family member" needs to be defined in the regulations. This is necessary since § 1468.107(c) has been amended to provide that a sale of mohair to a family member is not considered to be a bona fide marketing. Therefore, the definition of "family member" has been added to the regulations at § 1468.104 and means a person who is (a) a parent or grandparent of the producer; (b) the spouse of the producer; (c) a lineal descendant of the producer or the producer's spouse; (d) the spouse of any lineal descendant of the producer or the producer's spouse; (e) a brother or sister of the producer or the producer's spouse, or (f) a spouse of a brother or sister of the producer or the producer's spouse.

In addition, the definition of "sales document" has been amended to ensure that a producer does not receive a price for mohair that would be inflated beyond the fair market value for the quality, type, and grade of mohair which the producer is marketing. This change in definition will result in marketing practices which encourage the sale of mohair at fair prices by assuring that a producer does not sell mohair to persons or businesses in a manner which would enable the producer to receive inflated prices for such marketings.

#### Price Support Payments

The regulations at 7 CFR 1468.105 provide that price support payments will be made on the basis of mohair marketed in a specified marketing year. Since the definition of shorn mohair has been added at 7 CFR 1468.104, 1468.105 has been amended by deleting the reference to those marketings of mohair which are not eligible for price support payments. Only shorn mohair, as defined in § 1468.104, would be eligible for such payments made in accordance with § 1468.105.

In addition, the regulations at 7 CFR 1468.108 are amended to provide that the price support payment rate for mohair shall be determined and announced by the Executive Vice President, CCC, or his designee, at the end of each specified marketing year.

#### Eligibility for Payment

The regulations at 7 CFR 1468.106 set forth the eligibility requirements for price support payments for shorn mohair. This interim rule amends

§ 1468.106 by designating the introductory paragraph as paragraph (a) and redesignating the remaining paragraphs accordingly. Redesignated § 1468.106(a) has been revised to clarify that no payment will be made unless a producer has complied with all of the requirements of § 1468.106.

Redesignated § 1468.106(b) is revised to provide that, with respect to joint applications for payment, only those marketings which are bona fide sales, as defined in § 1468.107(c), will be eligible for price support payments.

Previously, redesignated § 1468.106(f) provided that only bona fide marketings of shorn mohair would be eligible for price support payments. This interim rule amends § 1468.106(f) to provide that shorn mohair which has been processed in any manner into a mohair product, as determined by the Deputy Administrator, shall not be eligible for price support payments. The purpose of this change is to ensure that only grease base mohair will be eligible for a mohair price support payment. For example, processing the mohair into mohair products, such as yarn, mohair yarn, skeins, novelty items made from mohair or other products of this nature, will make the mohair ineligible for price support payments.

The regulations at 7 CFR 1468.110(b) are similarly amended to provide that mohair products shall not be eligible for price support payments.

#### Bona Fide Marketings

In the review of the program which was conducted by DASCO, it was determined that in a number of instances producers sold wool to, or exchanged wool with, purchasers and received compensation in the form of wool or a wool product with no price established for the wool. This practice, it was found, often occurred with respect to the sale of wool among family members. These kinds of transactions are not considered bona fide marketings because they fail to establish a fair price for wool if indeed an actual sale does occur. Accordingly, since the marketing of wool is similar to the marketing of mohair and because of the kinds of transactions used by some producers of wool which are contrary to the purposes of the wool price support program may be utilized by producers of mohair, the regulations at 7 CFR 1468.107(c) have been amended to provide that the sale of mohair by a producer to a family member is not considered a bona fide marketing.

Furthermore, in order to make certain that producers do not receive inflated prices for their mohair, the regulations at § 1468.107(c) have been amended to

provide that mohair sold by a producer to a business in which the producer has more than a 20 percent interest shall not be considered to be a bona fide marketing.

The review also disclosed the occurrence of sales of wool by producers not previously engaged in the business of buying wool. These transactions are not bona fide marketings unless evidence is submitted, to the satisfaction of CCC, that such marketings have occurred. The review further revealed attempts to submit to CCC documents representing sales, transfers, or other arrangements with respect to wool which were fictitious or not legally binding. An example of such schemes are sales of wool where a part or all of the purchase price or product is returned to the purchaser in the form of money or merchandise, either directly from the seller or through other persons. If these practices were also adopted by producers of mohair, they would defeat the purposes of the mohair price support program which is designed to encourage domestic production of mohair at prices fair to both producers and consumers. It was, therefore, determined that the regulations at § 1468.107(c) should be revised to clearly set forth the requirements, in addition to the prohibitions against a producer selling mohair to a family member or to a business in which the producer has more than a 20 percent interest, which producers must meet in order to become eligible to receive price support payments for their marketings of shorn mohair. These requirements provide that, in order to be considered as a bona fide marketing, the mohair must be sold to a person or business engaged in the business of buying and selling grease basis mohair and the sale of the mohair must be based upon a reasonably appraised price of mohair.

In addition, the regulations at § 1468.107(d) are amended to explain the basis for the exchange of mohair for merchandise or services and to explain the relationship of such an exchange with the bona fide marketing of mohair.

#### Sales Documents

The regulations at 7 CFR 1468.111 enumerate the information which must be listed on a sales document which is submitted to CCC for the purpose of verifying a price support payment application. In order to ensure that proper documentation is presented to CCC, this interim rule amends § 1468.111(a) to provide that any sales documents which are prepared by the purchaser of mohair must have the



original signature of the purchaser or the signature of an authorized representative of the purchaser. In order to obtain adequate information with respect to the quantity of mohair which is sold by a producer, this interim rule amends § 1468.111 to provide that all sales documents must contain the net weight of mohair sold on a grease basis. This change in the regulations is made to ensure that no price support payment is made for shorn mohair which does not clearly meet the definition of shorn mohair as defined in § 1468.104. Accordingly, §§ 1468.111(a) (3) and (8) and (b)(3) are amended to require that sales documents reflect the quantity of mohair marketed on a grease basis.

#### List of Subjects in 7 CFR Part 1468

Price support programs, Mohair.

#### Interim Rule

#### PART 1468—MOHAIR

Accordingly, the regulations at 7 CFR Part 1468 are amended as follows:

1. The authority citation for 7 CFR Part 1468 (Subpart—Payment Program for Mohair (1982-1985)) continues to read as follows:

Authority: Secs. 4 and 5, 62 Stat. 1070, as amended, 1072, as amended; 15 U.S.C. 714b, 714c; secs. 702-708, 68 Stat. 910-912, as amended; 7 U.S.C. 1781-1787.

#### §§ 1468.1-1468.26 [Removed]

2. In part 1468, Subpart—Payment Program for Mohair, consisting of §§ 1468.1-1468.26, (1974-1977) is removed.

3. In part 1468, the Table of Contents is amended by revising the heading to § 1468.107 and adding a new § 1468.127 as follows:

1468.107 Bona fide marketings within a specified marketing year.

1468.127 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

4. Section 1468.104 is amended by removing paragraph designations (a) through (l), rearranging the definitions in alphabetical order, revising the introductory paragraph and the term "sales document", and adding the following new definitions to read as follows:

#### § 1468.104 Definitions.

In determining the meaning of the provisions of this subpart, unless the context indicates otherwise, words importing the singular include and apply to several persons or things, words importing the plural include the singular,

words importing the masculine gender include the feminine, and words used in the present tense include the future as well as the present. The following terms shall have the following meanings:

"Deputy Administrator" means the Deputy or Acting Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

"Family member" means a person who is (a) a parent or grandparent of the producer; (b) the spouse of the producer; (c) a lineal descendant of the producer or the producer's spouse; (d) the spouse of any lineal descendant of the producer or the producer's spouse; (e) a brother or sister of the producer or the producer's spouse or (f) a spouse of a brother or sister of the producer or the producer's spouse.

"Grease mohair" means mohair as it comes from the Angora goat or the kid of an Angora goat before applying any process to remove the natural oils or fats.

"Mohair incentive payment rate"

means the percentage required to bring the national average price received by all producers for the sale of mohair up to the incentive price.

"Sales document" means the account of sale, invoice, bill of sale, or other related document prepared by the purchaser evidencing the sale by the producer of shorn mohair to the purchaser.

"Shorn mohair" means grease mohair sheared from a live Angora goat or the kid of an Angora goat. Shorn mohair does not include pelts or mohair shared from pelts, scoured, or dyed mohair or yarn, skeins or other terms which identify the mohair as being other than in its natural greasy state.

5. Section 1468.105 is revised to read as follows:

#### § 1468.105 Price support payments.

With respect to each specified marketing year, price support payments on shorn mohair marketed in each marketing year will be available to producers in accordance with the provisions of this subpart.

6. Section 1468.106 is amended by designating the introductory paragraph as paragraph (a), redesignating present paragraphs (a) through (e) as paragraphs (b) through (f), respectively, and revising newly designated paragraphs (a), (b), and (f) to read as follows:

#### § 1468.106 Eligibility for payments.

(a) To be eligible for a payment with respect to shorn mohair under this subpart, all requirements of this section must be fulfilled.

(b) Except as provided in § 1468.115, the applicant must be the producer of shorn mohair. In the case of a joint application for payment, each applicant must be a producer of shorn mohair which is marketed in accordance with provisions of § 1468.107(c).

(f) Payments shall only be made with respect to bona fide marketings of shorn mohair. The sale of shorn mohair which has been altered in any manner through processing, other than scouring as provided in § 1468.111(a)(3), or any other process or act that results in a mohair product, as determined by the Deputy Administrator, is not eligible for a payment under this subpart.

7. Section 1468.107, is amended by revising the section heading and paragraphs (b), (c), (d), and (e) to read as follows:

#### § 1468.107 Bona fide marketing within a specified marketing year.

(b) A promissory note or other promise to pay, as well as a check not honored for any reason, shall not be considered as a payment to the producer unless the Deputy Administrator makes a determination that: (1) The producer acted in good faith in marketing the mohair; (2) a bona fide marketing occurred; (3) the mohair was not returned to the producer; (4) the producer was not aware and had no reason to suspect that the document tendered in payment for the mohair was not worth its face value at the time of acceptance of the document, and (5) the producer made a diligent effort to obtain payment for the mohair from the purchaser. Notwithstanding the foregoing provisions of this paragraph, the price utilized for the purpose of computing the net sales proceeds under the provisions of § 1468.109 shall not exceed the fair market value of the mohair as determined by the Deputy Administrator.

(c) For the purpose of determining a price support payment, a bona fide marketing shall be deemed to occur when a producer relinquishes title to the shorn mohair in exchange for a specific amount of money per pound of mohair tendered, or for services of merchandise of a specific monetary value as provided in paragraph (d) of this section. A sale of mohair by a producer shall constitute a bona fide marketing if: (1) The mohair is sold to a person or business which



normally buys mohair; (2) the producer selling the mohair does not sell the mohair to a family member or to any business in which the producer has more than a 20 percent interest; (3) the sale is based on the fair market value for mohair; and (4) the person or business buying the mohair is also engaged in the business of buying and selling grease basis mohair and buys the mohair in the course of that business.

(d) The exchange of mohair for merchandise or services of a nature other than mohair or mohair products will be considered as a bona fide marketing if a definite price for the mohair is established by the parties prior to the exchange. Such price, or whatever other price the Deputy Administrator determines is the fair market value for such mohair, whichever is lower, shall be used for the purpose of computing the net sales proceeds under the provisions of § 1468.109.

(e) The delivery of mohair on consignment to a marketing agency to be sold for the producer's account does not constitute a marketing whether or not a minimum sales price is guaranteed or an advance against the prospective sales price is given by the consignee.

Notwithstanding the foregoing, mohair delivered to a marketing agency on consignment is deemed to have been marketed if the marketing agency: (1) Has guaranteed a minimum sales price; (2) is unable to sell the mohair for more than the minimum sales price; and (3) takes possession of the mohair at the minimum sales price with the producer's consent. The producer shall be deemed to have consigned the mohair when the mohair has been transferred to a marketing agency and the producer provides that such agency shall market the mohair and that the producer shall be entitled to the proceeds of such marketing.

8. Section 1468.108 is revised to read as follows:

**§ 1468.108 Rate of payment.**

At the end of each specified marketing year the mohair price support payment rate shall be determined and announced by the Executive Vice President, CCC, or the Executive Vice President's designee.

9. Section 1468.110 is amended by revising paragraph (b) to read as follows:

**§ 1468.110 Preparation of application.**

(b) *Supporting documents.* The application shall be supported by the original sales document evidencing the

sale of mohair. The processing of shorn mohair by a process or act which, as determined by the Deputy Administrator, produces a mohair product, shall make the mohair ineligible for a price support payment. Payment shall not be made on marketings of mohair products, including items identified as yarn, mohair yarn, skeins, or novelty items. Trimming, skirting, and cleaning by scouring, provided the grease basis weight is established, does not disqualify the mohair for a price support payment.

10. Section 1468.111 is amended by revising paragraphs (a) introductory text, (a)(3) and (a)(8) and paragraph (b) introductory text and (b)(3) to read as follows:

**§ 1468.111 Contents of sales documents.**

(a) *Sales other than at farm, ranch, or local shipping point.* Each sales document, except a document which involves a direct sale of mohair at the producer's farm, ranch, or local shipping point, must be prepared by either. The purchaser, in which case the original signature of the purchaser or the signature of an authorized representative of the purchaser must be entered on the sales document, or the applicant's marketing agency. Each sales document must include at least the following:

(3) The net weight of mohair sold on a grease basis. If the mohair was sold as scoured, the original grease weight must be shown as well as the scoured weight.

(8) The amount paid to the seller of the mohair on a grease basis.

(b) *Sales at farm, ranch, or local shipping point.* Each sales document involving a sale of mohair at the producer's farm, ranch or local shipping point which is attached to an application for a price support payment shall be prepared by the purchaser with the original signature of the purchaser and must contain at least the following:

(3) The net weight of mohair sold on a grease basis. If the mohair was sold as scoured mohair, the original grease weight must be shown as well as the scoured weight.

11. Section 1468.127 is added to read as follows:

**§ 1468.127 OMB control numbers assigned pursuant to the Paperwork Reduction Act.**

The information collection requirements contained in these regulations (7 CFR Part 1468) have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB Number 0560-0023.

Signed at Washington, DC on November 8, 1985.

Everett Rank,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 85-27094 Filed 11-13-85; 8:45 am]

BILLING CODE 3410-05-M

**Office of the Secretary**

**7 CFR Part 3015**

**Department Programs and Activities Excluded From Executive Order 12372**

**AGENCY:** Department of Agriculture, USDA.

**ACTION:** Final rule-related notice.

**SUMMARY:** The purpose of this Notice is to inform State and Local Governments and other interested persons of the Department's decision to exclude Rural Electrification Loans and Loan Guarantees, Rural Telephone Loans and Loan Guarantees, and Rural Telephone Bank Loans to nongovernmental and governmental entities from coverage under Executive Order 12372. "Intergovernmental Review of Federal Programs." A full understanding of the requirements of the Order may be gained by referring to the final rules published in 7 CFR Part 3015, Subpart V, at 48 FR 29100, dated June 24, 1983.

**DATE:** November 14, 1985.

**FOR FURTHER INFORMATION CONTACT:**

Ms. Lyn Zimmerman, Office of Finance and Management, USDA, Room 2117-B Auditors Building, 201 14th Street, SW., Washington, DC 20250. (Telephone (202) 382-1553).

**Background**

On August 16, 1985 (50 FR 33087), the Department proposed to exclude Rural Electrification Loans and Loan Guarantees, Rural Telephone Loans and Loan Guarantees, and Rural Telephone Bank Loans to governmental entities from coverage under Executive Order 12372. Nongovernmental entities were previously excluded on June 24, 1983 (48 FR 29100).



**Summary of Comments**

One comment was received expressing opposition to the proposed exclusions, as well as to the exclusion of any other USDA program in the future. The commenter stated that program exclusions from the Order circumvent the intergovernmental review functions of the State. The State's review process serves as an early warning system for potential conflicts regarding proposed Federal activities and as an information resource to both State and local elected officials and agencies.

The Department has carefully considered the commenter's opposition to excluding REA programs and believes that REA is meeting the intent of the Order through existing consultation requirements. These requirements are set forth in the Notice dated August 16, 1985 (50 FR 33087), which proposed to exclude the REA programs.

Therefore, based on the adequacy of the existing consultation requirements, the REA programs listed below by Catalog of Federal Domestic Assistance Numbers are excluded from the scope of Executive Order 12372:

- 10.850 Rural Electrification Loans and Loan Guarantees
- 10.851 Rural Telephone Loans and Loan Guarantees
- 10.852 Rural Telephone Bank Loans

Dated: November 7, 1985.

John J. Franke, Jr.,

*Assistant Secretary for Administration.*

[FR Doc. 85-27095 Filed 11-13-85; 8:45 am]

BILLING CODE 3410-15-M

**DEPARTMENT OF JUSTICE****Immigration and Naturalization Service****8 CFR Part 212**

**Documentary Requirements; Nonimmigrants; Waivers; Admission of Certain Inadmissible Aliens; Parole; Direct Transits; Restriction for Citizens of Bangladesh, India, Pakistan and Sri Lanka; Suspension of Effective Date of Final Rule**

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Final rule; suspension of effective date.

**SUMMARY:** The Service has extended from November 8, 1985 to January 7, 1986 the effective date of the final rule published on October 9, 1985 at 50 FR 41314 (FR Doc. 85-24114). This final rule restricts citizens of Bangladesh, India, Pakistan and Sri Lanka from transiting without visas. This suspension of the

effective date is made to allow transportation lines additional time to implement internal procedural changes.

**EFFECTIVE DATE:** The effective date of the final rule is hereby suspended until January 7, 1986.

**FOR FURTHER INFORMATION CONTACT:** Harvey L. Adler, Immigration Inspector, Immigration and Naturalization Service, 425 I Street NW, Washington, DC 20536. Telephone: (202) 633-2694.

Dated: November 8, 1985.

Richard E. Norton,

*Acting Associate Commissioner, Examinations, Immigration and Naturalization Service.*

Joan M. Clark,

*Assistant Secretary of State for Consular Affairs.*

[FR Doc. 85-27122 Filed 11-13-85; 8:45 am]

BILLING CODE 4410-10-M

**DEPARTMENT OF AGRICULTURE****Animal and Plant Health Inspection Service****9 CFR Part 51**

[Docket No. 85-064]

**Animals Destroyed Because of Brucellosis**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document amends the regulations concerning the payment of indemnity for animals destroyed because of brucellosis to provide that claims for compensation for animals destroyed because of brucellosis shall not be allowed if the animals are brucellosis reactor animals which are slaughtered other than as part of a herd depopulation, and which are from a herd (1) that was already classified as a "herd known to be affected" at the time the animals were identified as brucellosis reactor animals and (2) for which an approved action plan or an approved individual herd plan was not in effect at the time the claim was filed. This action is necessary to help ensure that herd owners do not abuse the indemnity system by continuously making claims for compensation for animals destroyed because of brucellosis in those cases when the herd owners do not have a plan for taking adequate measures to eradicate brucellosis in the herd.

**EFFECTIVE DATE:** November 14, 1985.

**FOR FURTHER INFORMATION CONTACT:** Dr. G.H. Frye, Cattle Diseases Staff, VS, APHIS, USDA, Room 817, Federal

Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8711.

**SUPPLEMENTARY INFORMATION:****Background**

The "Animals Destroyed Because of Brucellosis" regulations in 9 CFR Part 51 (referred to below as the indemnity regulations) contain provisions governing the payment of indemnity for cattle, bison, and breeding swine destroyed because of brucellosis.

The indemnity regulations in § 51.9 contain a list of circumstances under which claims for compensation for animals destroyed because of brucellosis shall not be allowed. In a document published in the *Federal Register* on April 11, 1985 (50 FR 14246-14247), the Department proposed to expand this list of circumstances to provide that claims for compensation for animals destroyed because of brucellosis shall not be allowed:

If the animals are from a "herd known to be affected" as defined in § 78.1 of this chapter [the brucellosis regulations]; if the animals were identified as brucellosis reactor animals subsequent to the classification of the herd as a "herd known to be affected," and if an "approved action plan or approved individual herd plan" as defined in § 78.1 of this chapter is not in effect for the herd.

Comments were solicited concerning the proposal for a 60-day period ending June 10, 1985. Eight comments were received. They were from private individuals, a State Department of Agriculture, a Federal government agency, farmers' associations, and an association of dairy breed registry organizations. Six of the comments endorsed the proposal in its entirety, and two other comments supported the proposed amendment but raised certain issues concerning the proposal. These issues are discussed below. Based on the rationale contained in the proposal and in this document, the proposal in substance is adopted as a final rule. Changes in the wording of the proposed provisions have been made for purposes of clarity.

**Indemnity for Reactors Identified on the First Herd Test.** One commenter questioned whether the proposal provided for indemnity to be paid for reactors identified on the first herd test if a herd plan was not already in effect for the herd.

In the document of April 11, 1985 (50 FR 14246), it was stated that:

... it appears that the reactors found upon initial testing should be eligible for compensation regardless of whether a herd plan was in effect. However, it appears that claims for compensation for animals destroyed because of brucellosis should not